

# NEW JERSEY MILITIA NEWSLETTER

Volume VIII, Issue No. XII

June 2003

*All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness.*

-- Article 1, Section 1, New Jersey State Constitution

## Liberal Academics Continue Assault on Pro-Gun Research

By Jeff Johnson

(CNSNews.com) - On May 28, Minnesota will become the 35th state in the nation to allow its citizens to carry concealed handguns. Legislation to make Missouri the 36th such state is on the governor's desk, with enough votes to override a threatened veto.

As these laws are being passed, a new book published by a liberal think tank in Washington attempts to discredit research showing that such "concealed carry laws" reduce violent crime.

A study by economist and University of Chicago professor John Lott and co-researcher David Mustard in 1997 examined crime data from all 3,054 counties in the U.S. for the period between 1977 and 1992 and compared those data to the enactment of concealed carry laws. Based on that research, the pair concluded that "allowing citizens to carry concealed weapons deters violent crimes, without increasing accidental deaths."

But anti-gun researcher John Donohue of the Stanford University Law School has challenged the findings of Lott and Mustard in a chapter of the new book *Evaluating Gun Policy* published by the Brookings Institution.

"There seems to be almost no benefit from concealed handguns," Donohue told CNSNews.com - but he immediately retracted the claim.

"Actually, I can't say that. There may be some benefit, and there may be some costs, and they may offset each other," he said. "But the last argument I would give any credibility to is the idea that you would save lives by passing a law allowing people to carry

concealed handguns. It just won't happen."

But Lott and Mustard concluded that, if states without concealed carry laws had adopted them in 1992, "approximately 1,500 murders would have been avoided yearly." They also predicted that 4,000 rapes, 11,000 robberies and 60,000 aggravated assaults would have been thwarted by armed civilians or criminals' fear of encountering armed civilians.

Their work evolved into Lott's book *More Guns, Less Crime*, which is frequently cited by supporters of concealed carry laws, along with studies by Florida State University criminologist Gary Kleck showing that guns are used to stop criminal assaults up to 2.5 million times a year.

Drawing on research conducted with Yale Law School's Ian Ayres, Donohue called Lott's findings "deeply flawed" and "misguided." But Lott told CNSNews.com in a recent interview that he believes Donohue and Ayres made several errors in their research.

The pair examined monthly, rather than annual, crime data and operated under the assumption that - if passage of concealed carry laws truly reduced crime - there would be a "straight line drop" in crime rates from the date of enactment forward. When the crime rate dropped slower than this assumption predicted it should, Donohue and Ayres referred to the difference as an "increase" in crime.

"It's only when they use this kind of 'artificial specification' that simplifies this do they get a bad result," Lott explained. "A better way of doing it is by looking at the crime rates year by year, for one year after the law, two

years, three years - and when you do that, even their own results get an immediate drop that continues to fall after that."

Donohue and Ayres also use varying definitions of "crime" in their analysis of Lott's research.

"Lott claimed that the 10 states that enacted shall-issue laws between 1985 and 1991 experienced declines in *murder and other violent crimes* relative to the crime trends observed in other states that did not pass shall-issue laws," Donohue wrote in a press release promoting the book. "In contrast, Donohue contends that the 13 states that enacted shall-issue laws after 1992 experienced relative increases in *crime*." [Emphases added.]

***But Lott never argued that all crime was reduced by passage of concealed carry laws, only violent crime.***

***"That's the finding that people have seen all along," Lott told CNSNews.com. "You have some people who were engaging in robbery in order to get money previously and, when people are able to carry concealed handguns to protect themselves, you have some criminals [who] stop committing crimes, but some switch into other crimes."***

***Most often, Lott said, that switch is from robbery, where criminals come into direct contact with their victims and face a newfound risk of getting shot, to burglary and property theft "because it's relatively less risky."***

***Those crimes are possibly committed with greater frequency because they are also less lucrative than robbery, explaining the increase in overall crime committed***

**while experiencing a decrease in violent crime.**

"I think the thing to do is just put it in context of all the other people who have looked at [my work]," Lott said. "Nobody has found a bad effect except for this one section of [Donohue and Ayres'] paper, and even then, it's just a temporary one."

"Everybody, including this paper, finds that the crime rate falls the longer the laws are in effect," he continued. "I think that's pretty strong evidence."

Ludwig and Cook admit that, "because the United States does not maintain a registry of guns in private hands and surveys do not provide data for each of the 50 states," it is difficult to compare gun ownership rates to the number of home invasion burglaries.

But the authors claim that "the percentage of suicides with guns has been shown to be a reliable proxy, outperforming such measures as the percentage of homicides committed with a gun, the prevalence of membership in the National Rifle Association or subscription rates to gun-oriented magazines."

Larry Pratt, executive director of Gun Owners of America, doubts that societal violence in general - and suicide in particular - can be reliably used as quantifiable evidence of gun ownership.

"Somehow, they're going to have to explain why - with virtually no civilian gun ownership in Japan - their suicide rate is not only higher than our murder rate," he said, "but it's [also] higher than our suicide rate and our murder rate combined."

"They've 'explained' nothing," he concluded.

Anti-gun researchers Jens Ludwig, an associate professor of public policy at Georgetown University, and Philip Cook, professor of public policy at Duke University, co-edited *Evaluating Gun Policy* and wrote the chapter entitled "Do Guns Deter Burglars?" In it, they argue that burglars do not avoid armed homeowners.

"Increasing the prevalence of guns in a community may, if anything, slightly increase the chance of burglary victimization," they write, "and has no effect on hot burglaries."

A "hot burglary" is one in which the burglar or burglars enter the dwelling knowing in advance that it is occupied, also typically referred to as a "home invasion" burglary or robbery.

Ludwig and Cook dismiss comparisons between Great Britain and the U.S., even though hot burglaries are almost unheard of in the U.S. - except in jurisdictions with strict gun control laws - but make up nearly half of all burglaries in Great Britain.

"American and British households differ in a number of other ways beyond gun ownership that are likely to affect the cost-benefit calculus facing burglars," they write. "Home invasion burglars in Britain face a much more lenient prison sentence if caught, and households in Britain are less likely to have a dog or a man living in them."

Pratt called the claim "sexist" and questioned the logic of the argument.

"A burglar in this country is equally afraid of a woman until he's absolutely certain that she doesn't have a gun and, in this country, she might," Pratt argued. "It won't help him one bit if he breaks into a 'man-less' home if there's a woman with a [gun]." - May 13, 2003

### **A Practical Guide for Lie Detection**

By Alan C. Edwards

If people could recognize the techniques used by propagandists they would not fall prey to their lies. The following is an examination of the techniques used.

Lying by omission or telling half truths is a popular technique. This is deliberate omission of vital information necessary for understanding. The truth may be only partially revealed to cause confusion and erroneous conclusions. It may also be given a 'spin' to direct your thinking to the conclusion they want you to have. And finally, there is the manufactured lie. The lie is usually eventually found out, but almost always after the desired damage is done.

Another technique is the smear by using erroneous and despicable labels to characterize their enemies. Lenin stated that the enemy must be described in terms that sow revulsion among the masses. Terms that have been used for this purpose are; racist, fascist, anti-Semitic, Nazi, right wing extremist, Bircher, McCarthyite, lunatic fringe, radical right, religious fanatic, cultist, isolationist, reactionary, hate group, gun nut, anti-progressive, conspiracy theorist, anti government, wacko, nut case, homophobe, etc. When you hear someone condemning a person or group using these terms, you are listening to the voice of the

conspiracy.

Guilt by association is widely used as a means of destroying the enemy with propaganda. This is a technique that erroneously associates a person or group with some despicable act, philosophy, or personality. The comparison to Hitler is most often used for this purpose. The bombing of the Murrah building in Oklahoma City is the current despicable act that is being used against the militias. Two headlines in the *Nevada Appeal* demonstrate how cleverly this is done. One headline reads, "2 years after bomb, militias move underground", the other, "Militias gain support after bombing." No militia connection with the bombing has ever been made despite all efforts to do so.

These stories written with the byline of the Associated Press demonstrates how guilt by association can be achieved when no connection exists. Morris Dees, of the Southern Poverty Law Center speaks of the threat militias pose.

What threat? Who has any militia threatened? Morris Dees doesn't say. Dees has written "Predicting when and where the militia will strike next is harder than guessing when and where the next whirlwind will come from." The next strike? Morris Dees gives no information of any previous strike by the militia. You can be assured that any strike by any militia would have been trumpeted with much fanfare by Dees if one existed. There is much to be observed not only in what is said, but what is not said when evaluating the truthfulness of what you see, hear, and read. If someone to be destroyed attends a meeting or shares a platform at a public meeting with someone who has already had his or her reputation destroyed, the connection will be made insinuating that the person to be destroyed shares the same philosophy as the one already destroyed.

Learn to recognize propaganda when it comes to you. Listen to what is not said that should be. Always ask who benefits from the story that is being told. Identify known liars and evaluate what they say accordingly. Remember, there is nothing stranger than the truth.

### **NJ militia challenges Philadelphia Weekly story**

Ed.: it's pretty well understood that the media for the most part is brain dead. So it didn't surprise us when we ran across an article about a Dr. Schwab who is pushing the unscientific idea that "gun violence" is a

*In the beginning of change the patriot is a scarce man, brave, hated and scorned. When his cause succeeds, however, the timid join him, for then it costs nothing to be a patriot. - Mark Twain*

virus that can be isolated and destroyed (by disarming the people). Naturally we couldn't let the *Philadelphia Weekly* get away with that so we contacted Tim Whitaker, editor; and Steve Volk, author of "Stopping a Bullet" printed in the April 23, 2003 issue.

Gentlemen,

You may be interested in the article "Guns and Violence" by Miguel A. Faria Jr. MD, in the March 2003 *New Jersey Militia Newsletter* (enclosed) [in which Dr. Faria demolishes the argument being pushed by Dr. Schwab].

A much lengthier work, Professor R.J. Rummel's *Death by Government*, documents the 20<sup>th</sup> century slaughter by government of 169 million disarmed people (excluding war dead).

For life, liberty and homeland defense, New Jersey militia

cc

William Schwab, MD, U. of Pa. Hospital

### **More Wrong Doing at FBI Crime Lab**

WASHINGTON (AP) - Weeks after testifying at a court hearing in a Kentucky murder, FBI scientist Kathleen Lundy told her superiors she knowingly gave false testimony about her specialty of lead bullet analysis.

Internal FBI documents obtained by The Associated Press show the FBI lab, which reformed itself after a mid-1990s scandal over bad science, is grappling with new problems that have opened its work on lead bullets and DNA analysis to challenges by defense lawyers.

In addition to Lundy's indictment:

A FBI lab technician has resigned while under investigation for alleged improper testing of more than 100 DNA samples, and the lab is now reviewing samples she placed into the FBI national database of DNA evidence;

The Houston police crime lab has been banned from placing new samples into the FBI's DNA registry because of allegations of shoddy science in local cases;

One of the lab's retired metallurgists is challenging the bureau's science on bullet analysis, prompting the FBI to ask National Academy of Sciences to review its methodology.

FBI Lab Director Dwight Adams said detection of the problems illustrates that the reforms instituted in the mid-1990s are working.

"The difference is, these are being caught and dealt with swiftly. Our

quality assurance program is in place to root out these problems, incompetence and inaccurate testimonies," Adams said.

Defense lawyers are already mounting challenges in high-profile cases handled by the two employees and are questioning the FBI's project to build a national DNA database that will help law enforcement identify suspects based on their genetic fingerprints.

"FBI scientists have gotten away with voodoo science," said Lawrence Goldman, president of the National Association of Criminal Defense Lawyers ([www.criminaljustice.org](http://www.criminaljustice.org)).

The Justice Department's inspector general is investigating FBI lab technician Jacqueline Blake for allegedly failing to follow proper scientific procedure when analyzing DNA in at least 103 cases over the past few years, officials said.

The FBI made widespread changes in the mid-1990s after its lab was rocked by a whistleblower's allegations and an investigation that found shoddy science by several lab examiners. Justice officials have identified about 3,000 cases that might have been affected by those earlier problems and have let prosecutors decide whether to notify convicted defendants.

Lundy, now on administrative leave, served as an expert witness who used chemical comparisons to link lead bullets to suspects. She was indicted earlier this year on a charge of misdemeanor false swearing by Kentucky authorities after she acknowledged she gave false testimony in a 2002 pretrial hearing for a man accused of murder.

Lundy informed her FBI superiors of the false testimony a couple of months after it occurred. By that time she had corrected her pretrial testimony at the trial and had been questioned about it by defense lawyers. Federal authorities decided not to prosecute her, but Kentucky prosecutors brought the misdemeanor charge.

Lundy also disclosed she was increasingly concerned that a former lab colleague, retired metallurgist William Tobin, was beginning to appear as a defense witness in cases and openly questioning the FBI's science on gun lead.

In an interview, Tobin said he remains a staunch supporter of the FBI lab but long suspected while working alongside the bureau's lead bullet analysts that they were engaged in inaccurate science. After retiring, he

said, he conducted research that substantiated his concerns.

Tobin said he also has gathered evidence that FBI lab experts are stretching their conclusions beyond lab reports when they reach the witness stand.

"Defense lawyers are being ambushed and jurors are being misled," he said. "There is no comprehensive or meaningful data whatsoever to support their analytical conclusions."

-- April 16, 2003

### **Libertarian government vs. Imperial government**

By Jim Kerr

There are basically only two kinds of government structures: imperial and libertarian.

The Imperial model, where a ruler, be he a king, emperor, president, etc., is the sovereign, and governmental power descends from the top, down. The people are mere subjects; and the subjects frequently feel a sense of security, believing they are protected by the ruler, who is the sovereign. Rights are deemed privileges granted (or denied) by the sovereign. This kind of government is most common throughout history, primarily because it provides an efficient means of plundering the subjects.

The libertarian model is grassroots in nature, where governmental power ascends from the bottom up. The people are the sovereign, and the rulers are mere servants of the people. The people have rights that originate from the Creator, and the government is instituted to protect these rights, which include life, liberty, and the right to own property. In this system, nobody is plundered.

### **UN Diplomats Riot**

(New York, NY) - A crazed mob of diplomats angry at being made to wait for lunch because of striking restaurant workers rioted in U.N. cafeterias and looted them of thousands of dollars in food, booze and silverware.

"It was chaos, wild, something out of a war scene," an executive from the company taking over food services for the United Nations told *Time* magazine. "They took everything."

The food fight was sparked by an impromptu strike at the United Nations' five eateries.

The raid was "unbelievable - crowds of people just taking everything in sight. They stripped the place bare," said an observer.

So many liquor bottles were raided that one U.S. diplomat said he lost count.

An official from Aramark Corp., which took over operations of the restaurants in March, estimated between \$7,000 and \$9,000 worth of food was taken, plus silverware and booze. -- *NY Post*, May 4, 2003

## America National Sovereignty vs. UN "International Law"

Mr. Speaker, I rise to urge the leadership of this body to bring a very important vote to the House floor. I recently reintroduced HR 1146, the American Sovereignty Restoration Act, which would end our participation in the United Nations. Millions of Americans have begun to question why we continue to spend \$300 million each year funding and housing an organization that is actively hostile to American interests. Surely Congress, which routinely spends 15 minutes renaming post offices, can spare 15 minutes to vote on this fundamental issue of American sovereignty.

Noted constitutional scholar Herb Titus has thoroughly researched the United Nations and its purported "authority." Titus explains that the UN Charter is not a treaty at all, but rather a blueprint for supranational government that directly violates the Constitution. As such, the Charter is neither politically nor legally binding upon the American people or government. The UN has no authority to make "laws" that bind American citizens, because it does not derive its powers from the consent of the American people. We need to stop speaking of UN resolutions and edicts as if they represented legitimate laws or treaties. They do not. -- Rep. Ron Paul, April 29, 2003

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Rep. Sam Farr, D-Calif, in early April became the first member of Congress to display the flag of the United Nations outside his Longworth House office door, denied via an e-mailed statement that Paul's measure reflected the consensus of the nation.

## The Treaty Power

Since the establishment of the United Nations in 1945 the U.S. government has entered into a number of unconstitutional "treaties" with the U.N. The biggest obstacle to the globalists in the U.S. government and the U.N. is Article VI of the Constitution that states in part "This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made,

under the authority of the United States, shall be the supreme law of the land."

Our founding fathers had much to say about the treaty making power. James Madison stated; "I do not conceive that power is given to the President and the Senate to dismember the empire, or alienate any great, essential right. I do not think the whole legislative authority have this power."

In *A Manual of Parliamentary Practice*, Thomas Jefferson stated; "... 2. By the general power to make treaties, the Constitution must have intended to comprehend only those objects which are usually regulated by treaty, and cannot otherwise be regulated. 3. It must have meant to except out of those the rights reserved to the states; for surely the President and the Senate cannot do by treaty what the whole government is interdicted from doing in any way."

Jefferson is saying that it is ludicrous that the founding fathers would craft a Constitution strictly limiting the powers of a federal government, but would insert a clause allowing as few as three men, the President and two-thirds of the Senators present (this could conceivably be two out of three Senators present) to alter the Constitution in any way. Article VI contains the proviso that all treaties made shall be done so "under the authority of the United States." Do you know what the authority of the United States is? It is the Constitution! So again, we see that all treaties must conform to our Constitution. Also, consider how difficult it is to pass constitutional amendments under Article V; two-thirds of both houses of Congress must pass a proposed amendment, and then it must be sent to the states where three-fourths of them must ratify it.

Returning to the treaty making power, Alexander Hamilton wrote: "The only constitutional exception to the power of making treaties is, that it shall not change the Constitution.... On natural principles, a treaty, which should manifestly betray or sacrifice primary interests of the state, would be null.... A treaty cannot be made, which alters the constitution of the country or which infringes any express exceptions to the power of the Constitution of the United States."

Nineteenth century Supreme Court rulings such as *New Orleans v. United States* (1836) and *Geofroy v. Riggs* (1890) upheld the clear intent of the founders regarding the treaty power. It wasn't until the 1920 Supreme Court decision in *Missouri v. Holland* that "the doctrine that the treaty power is

unlimited and omnipotent and may be used to override the Constitution and the Bill of Rights." On April 11, 1952, at a regional meeting of the American Bar Association in Lexington, Kentucky, Secretary of State John Foster Dulles stated;

"Treaties make international law and also they make domestic law. Under our Constitution, treaties become the supreme law of the land.... Treaty law can override the Constitution. Treaties, for example, can cut across the rights given the people by their constitutional Bill of Rights."

I don't buy Mr. Dulles treasonous assertion and I hope you don't either. By his logic, it will be but a short time before the sovereignty of the United States is ceded to the U.N. world government and our Constitution null and void. Notice the recent proliferation of treaties emanating from the U.N. and all too eagerly ratified by our Senate. One of the most egregious concessions of sovereign rights was President Ford's signing of the U.N. Convention Concerning the Protection of the World Cultural and Natural Heritage on March 1, 1976. The U.S. presently has 20 World Heritage Sites and 47 Biosphere reserves, all approved by U.N. bureaucrats, NOT the U.S. Congress. As a result, it is questionable whether or not any development can take place inside these U.N. designated reserves. Congress unsuccessfully tried last year to assert their constitutional prerogative concerning U.S. lands. Unfortunately we have too many in Congress who are all too willing to subordinate U.S. sovereignty to the U.N. They must be educated or replaced, and soon!

I will leave you with three quotes, as recounted in *Global Tyranny* by William Norman Grigg.

"The U.N. has become a trap. Let's go it alone." - U.S. Senator Robert Taft.

"Until my dying day, I will regret signing the United Nations Charter." - U.S. Senator Patrick McCarran.

"The time has come to recognize the United Nations for the anti-American, anti-freedom organization that it has become. The time has come for us to cut off all financial help, withdraw as a member, and ask the United Nations to find a headquarters location outside the United States that is more in keeping with the philosophy of the majority of voting members, someplace like Moscow or Peking." - U.S. Senator Barry Goldwater.

## The Aztlan Terrorist Threat

Embittered intellectuals on both sides of the US-Mexico border are preaching that most of the southwest US belongs to Mexico. They therefore believe that there should be no border control between the two countries. A recent Zogby poll revealed that 58% of Mexicans believe that the southwest US belongs to Mexico. That probably explains why 60% of Mexicans believe there should be no border control.

One of the promoters of this revanchist idea is Professor Charles Truxillo, instructor of Chicano studies at the University of New Mexico and self-described disciple of Chicano-Marxist terrorist Reyes Lopez Tijerina. Tijerina and his terrorist group have been advocating retaking the southwest since the mid 60's. In June 1967, Tijerina led his gang in an assault on the courthouse in Tierra Amarilla, New Mexico. During the attack he proved that his violence was non-discriminatory. The terrorists shot Mexican-American jailer Eugolio Salazar in the face, pistol whipped Mexican-American Undersheriff Dan Rivera, and killed Mexican-American Deputy Sheriff Nicainor Saizan. The gang also took 20 citizens hostage in the courthouse before fleeing town.

Tijerina claims that the American Southwest is the "Nation of Aztlan", an area that includes California, Arizona, New Mexico, Texas, plus the southern part of Colorado. Tijerina proclaimed "exclusive and supreme" powers "within our territorial jurisdiction, over all persons and property situated therein, to the exclusion of all other countries and governments."

Truxillo and educators of his ilk are performing a disservice to their students by distorting history, preaching hate, and inciting violence. The curriculum sounds frighteningly like the message Muslim Clerics preach at their Madrassas. Truxillo maintains that Aztlan should be created "by any means necessary". And after the 1995 Latino Summit representatives of the "Brown Berets de Aztlan," a Chicano paramilitary group, threatened to "make the streets run red" with their opponent's blood.

This militant rhetoric isn't restricted to Tijerina, or the "Brown Berets de Aztlan". The Aztlan movement is supported by high profile militant separatist groups that are active on U.S. high school and university campuses. MEChA (Movimiento Estudiantil Chicano de Aztlan) and La Raza (the Race) are just two of such groups.

Miguel Perez of Cal State-Northridge's MEChA chapter said, "The

ultimate ideology is the liberation of Aztlan. Communism would be closest [to it]. Once Aztlan is established, ethnic cleansing would commence: Non-Chicanos would have to be expelled ... opposition groups would be quashed because you have to keep power." Of course the part about quashing opposition is pure Leninism-Stalinism.

The area in dispute was ceded to the U.S. in the 1848 Treaty of Guadalupe Hidalgo which ended the Mexican War. Mexico relinquished control of the area in exchange for \$15 million, and the US assumed millions of dollars of Mexico's debt. But the believers in Aztlan want to rewrite history and void the treaty.

The Aztlan agitators who claim the US stole the land have forgotten that in 1848 Mexico exercised very little control over the area, that less than 1% of Mexico's population was in the area, and no valuable minerals had been discovered.

Astute geopolitical observers have suggested that it may have been better for Mexico if at the end of the war its government had ceded the entire country to the U.S.. No one can deny that the Southwest has prospered during the 154 years it has been under U.S. free market philosophy while poverty still exists south of the border.

Without the Treaty of Guadalupe Hidalgo the US southwest might still look like Tijuana. Disbelievers need only walk across the border between San Diego and Tijuana to see the stark contrast.

The racist agitators of Aztlan call themselves the "Bronze People" and claim Aztlan is theirs. They have stated, "Aztlan belongs to those who plant the seeds, water the fields, and gather the crops, and not to the foreign Europeans." I'm afraid these racists have forgotten the strong cultural, religious, and ethnic influence that France and Spain (both European countries) have had on Mexico. Aztlan supporters should also abandon Spanish (a European language) and adopt Aztec or Mayan as the new language of Aztlan.

## Stay out of Chi

If you are found by the Chicago Police with even a legal gun they will find a pretext to felony arrest you if they have to make it up. So do NOT cooperate with the police. Just tell them you want to leave or you want a lawyer. If they tell you just to answer a few questions and you can be on your way, remember he is a LIAR. Give the cops nothing. — Advice of John Birch,

President, Concealed Carry, Inc., PO BOX 4597, Oak Brook, IL 60522-4597, regarding a Nevadan ensnared by Chicago police. (Concealed Carry News, #385)

## FBI Swarms New Jersey Home

Ed.: On April 25 the FBI searched the home of an alleged former member of the New Jersey Militia. The following article is based on published news accounts.

(New Jersey) — The Federal Bureau of Investigation swarmed a local residence from 9:30 p.m. to 2:00 a.m. Agents executed a federal search warrant to remove over 146 items from the home.

The target of the search received a phone call from an FBI agent who told him to exit the house with hands up in the air.

Neighbors said they were afraid when the FBI stormed into the neighborhood. A woman who lives across the street said, "A man in a SWAT uniform with a machine gun that had a bright light on top of it pointed at me and told me to stay inside. As I looked around, I saw at least 20 SWAT officers in front of my house."

A next door neighbor said she saw a SWAT officer on the hood of a truck in front of her home. "They told us to stay inside and away from the windows."

As the targeted individual exited the front door, bright lights were directed at the front of the house. "I was ordered to walk toward the sound of a man giving me directions. My wife was following behind me. I was taken to one car while she was taken to another," he said.

The couple was never read their Miranda Warning as the agents told them they were not under arrest.

"They told me they were only going to execute the warrant. I was asked a few questions and then allowed to leave. However, I was not allowed back inside," the home owner said. While the agents searched the house the couple sat in the home of a neighbor.

Officers from the N.J. State Police Homeland Security also participated in the raid.

After receiving no resistance the agents set up a tent on the front lawn and went to work. They were observed most of the night laughing and making Dunkin' Donut runs.

According to witnesses, earlier that night, the FBI agents gathered at a municipal building which they used as a staging point. It was reported that over

30 federal vehicles, including a bomb squad, were assisting on the search warrant.

The warrant was issued April 24 by the Hon. Susan D. Wigenton, U.S. Magistrate Judge in the U.S. District Court, District of New Jersey. The warrant had to be carried out on or before May 2, 2003 between the hours of 6:00 a.m. to 10:00 p.m.

The brother of the targeted individual who lives in an apartment in the rear of the home was sleeping when the FBI burst into his home. "They make me get up and leave without my shoes, jacket or belt. I was walked down the street and embarrassed in front of my neighbors," he said.

"They searched my body and my hair. I was asked several questions; I was never read my rights. I told them that my apartment is separate from the front and asked if they had a search warrant for my apartment. I was never given an answer," he said.

The warrant authorized the FBI to seize any weapons, ammunition, documents referring and or relating to weapons and ammunition. Any documents relating to property owned and all bank statements, credit card statements, correspondence, notes, memoranda, ledgers, invoices, receipts, mailing lists, telephone books, records reflecting telephone numbers, rolodexes, videotapes and any thing that might have a co-conspirator's name on it.

Special Agent Steve Kodak of the Newark office of the FBI had only a few comments.

"This is an ongoing federal investigation. The [targets] were not arrested or charged with anything," Kodak said.

The home owner has an out of state home which was raided by the FBI earlier in the day. It was reported that over 120 weapons were removed from that property.

A renter in the out of state home allegedly made a purchase of a false identification over the internet from a man in Texas, the target said. The week prior the FBI raided the renter's house in New Jersey where they found

an out of state license that apparently led them to the target.

The target said he was the writer of the New Jersey Militia newsletter. "I started writing that back in July of 1995. I have not been involved in the Militia for the past three years," he said.

The FBI removed over 146 items from the target's home, including a Dell computer, address books, pictures, newsletters, checking account and property information, videotapes on guns and gun magazines, one pellet gun, one rifle and one shotgun. A few boxes of black powder and ammunition for black powder guns were also taken.

According to the target the rifle and shotgun were very old and the pellet gun is even older. "I did nothing wrong, and was concerned over the approach the FBI used. I told them they could have sent two agents down here to talk, they did not need all this stuff," he said. "The agent told me I was preaching to the choir. When they let us back into our home, they looked disappointed."

### **Book, Lecturing and Seminars Banned**

LAS VEGAS (AP) - In a courtroom filled with vociferous tax opponents, a federal judge extended a temporary ban on a book that argues Americans do not have to pay income taxes.

Senior U.S. District Court Judge Lloyd D. George asked attorneys to submit more information before he decides whether to permanently ban Irwin Schiff's *The Federal Mafia: How It Illegally Imposes and Unlawfully Collects Income Taxes*.

The American Civil Liberties Union of Nevada filed a friend-of-the-court brief saying the 75-year-old's opinions should not be suppressed.

"A total ban on a book containing political and autobiographical (elements) is unconstitutional," ACLU lawyer Allen Lichtenstein said outside court.

The federal government argues that the First Amendment does not

protect speech advocating illegal conduct.

Department of Justice lawyer Evan Davis said Schiff had 3,100 clients attempting to evade \$56 million in taxes. He has called Schiff's work one of the largest tax scams in U.S. history.

"Criminal prosecutions (of those who follow Schiff's advice) can take months, if not years. The harm is occurring now and it must be stopped now," he said.

Schiff, who was convicted for tax evasion in the 1980s, argued that paying federal income taxes is voluntary.

"There is no law in the internal revenue code that says you must pay income tax," Schiff said.

The judge interrupted, saying: "That's your opinion."

Schiff replied, "It's fact. OK, it's also my opinion that 2 and 2 is 4."

The crowd had to be quieted after applauding one of Schiff's more impassioned pleas.

The Internal Revenue Service raided Schiff's Las Vegas business, Freedom Books, on Feb. 11.

After the government filed a civil complaint against Schiff and two associates, the judge issued a temporary order March 19 requiring Schiff to stop selling his book, lecturing and giving seminars.

Schiff's Web site advertises the book, audio cassettes and other items, but the buttons that one would normally click to buy the products are now marked with the word "banned." The first chapter of *The Federal Mafia*, however, could be viewed on the site for free.

-- April 12, 2003

Irwin Schiff's Web site:  
<http://www.paynoincometax.com/>

Internal Revenue Service:  
<http://www.irs.gov>

### **Oath Breaker**

"As a former U.S. Marine," added Michael Barnes, president of the Brady Campaign to Prevent Gun Violence, "I have fired assault weapons and there is no legitimate civilian use for these weapons." -- Keep and Bear Arms

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ISSN 1523-4657

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